

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/527,742 Confirmation No. : 9149
First Named Inventor : Manuel SARASA BARRIO
Filed : March 14, 2005
TC/A.U. : 1649
Examiner : Aditi DUTT

Docket No. : 100878.56050US
Customer No. : 23911

Title : Polyclonal Antibodies, Preparation Method Thereof and
Use of Same

REPLY

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This paper is filed in response to the Office Action of April 1, 2008. **An extension of the deadline for response to the Office Action is respectfully requested pursuant to 37 C.F.R. § 1.136(a) and the appropriate fee is submitted herewith.**

Responsive to the restriction requirement in that Office Action, Applicants hereby elect Group II, claim 32 for examination, without waiver of Applicants' right to file one or more divisional applications. In response to the election of species, Applicants select SEQ ID NO 2.

Applicants respectfully submit that SEQ ID NO 3 should be examined together with SEQ ID NO 2 as the search and examination of both sequences together would not be unduly burdensome. In particular, it is noted that SEQ ID NO 3 and SEQ ID NO 2 are the same, except for two additional amino acids appearing at the end of SEQ ID NO 3.

Applicants also respectfully submit that claims 33-36 were improperly classified into Group I. Although the preamble of these claims recites a method for preparing an antibody, the claim elements require steps performed with the peptide of claim 32. Thus, claims 33-36 are directed to a process of using the product of claim 32. As such, these claims are eligible for rejoinder provided that

the claims directed to the product are determined to be allowable, see the MPEP § 821.04. The Examiner is urged to consider examining claims 33-36 along with claim 32 in this application so as to avoid unnecessary withdrawal and later rejoinder.

CONCLUSION

In view of the foregoing, the application is respectfully submitted to be in condition for allowance, and prompt favorable action thereon is earnestly solicited.

If there are any questions regarding this response or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket No. 010770.53122D1).

October 1, 2008

Respectfully submitted,

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